

**ASSEMBLY BILL**

**No. 2362**

---

**Introduced by Assembly Member Conway**

February 24, 2012

---

An act to amend Section 42285.5 of the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2362, as introduced, Conway. Education finance: necessary small high schools: average daily attendance.

Existing law establishes an education funding system under which the Superintendent of Public Instruction apportions to each qualifying school district state aid funds in an amount not to exceed its revenue limit, an amount that is largely based on the school district's average daily attendance, which is computed as specified. Existing law authorizes specified school districts to calculate their revenue limits in a different manner if the school district includes a necessary small high school, which is defined as a high school with an average daily attendance of less than 301 that meets prescribed conditions. Existing law also authorizes a school district that includes a necessary small high school to include average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and number of certificated employees employed in the 2011–12 fiscal year if the school district included average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and certificated employees employed in the 2010–11 fiscal year.

This bill would instead authorize a school district that includes a necessary small high school to include average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and number of certificated employees employed in the current fiscal year if the school district included average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and certificated employees employed in the prior fiscal year.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 42285.5 of the Education Code is  
2 amended to read:

3 42285.5. (a) For purposes of subdivision (a) of Section 42284  
4 and Section 42285, a school district may include average daily  
5 attendance in grades 7 and 8 and the instructors of grade 7 and 8  
6 pupils in the calculation of average daily attendance and number  
7 of certificated employees employed in the ~~2011-12~~ *current* fiscal  
8 year if the school district included average daily attendance in  
9 grades 7 and 8 and the instructors of grade 7 and 8 pupils in the  
10 calculation of average daily attendance and certificated employees  
11 employed in the ~~2010-11~~ *prior* fiscal year.

12 (b) Notwithstanding Sections 42284 and 42285, for purposes  
13 of this section, with respect to a school district eligible to utilize  
14 subdivision (a), any references to grades 9 to 12, inclusive, in  
15 Sections 42284 and 42285 shall be deemed instead to be references  
16 to grades 7 to 12, inclusive.

17 SEC. 2. This act is an urgency statute necessary for the  
18 immediate preservation of the public peace, health, or safety within  
19 the meaning of Article IV of the Constitution and shall go into  
20 immediate effect. The facts constituting the necessity are:

21 In order to serve pupils without disrupting their education, and  
22 to ensure the continuation of necessary small school funding for

- 1 grades 7 through 12, inclusive, it is necessary for this act to take
- 2 effect immediately.

O